IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Crl.Rev.Pet.No. 1011 of 2007()

CMP.377/2007 of JUDL.MAGISTRATE OF FIRST CLASS-I, ERNAKULAM
CRIME NO.40/06 OF HARBOUR POLICE STATION

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REVN. PETITIONER:

S.H.SUNIL SHANTHA SILVA,
NO.43, SRI VIKRAMA ROAD,
WATHDUWA, SRILANKA.

BY ADV. SRI.P.SANJAY

RESPONDENTS:

STATE OF KERALA REPD. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.BREEZE M.S.
SRI.A.PARVATHI MENON

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1011 of 2007

Dated this the 14th day of March, 2007

ORDER

The revision petitioner is the master of the fishing vessel seized for violating the Maritime Zones of India (Regulations) Act.

2. Counsel for the revision petitioner has sought for setting aside the order of the court below imposing the condition of furnishing a cash security of Rs.10,00,000/- for releasing the vessel. It was submitted as per Section 9(4) of first proviso of the Act the vessel can be released on cash security or furnishing bank guarantee for an amount not less than 50% of the value of the vessel. It has been submitted by the Government Pleader that the value of the vehicle has been assessed. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to get custody of the vessel on depositing cash deposit or bank guarantee to the tune of 50% of the value of the vessel.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl